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SUBJECT: KAZAKHSTAN ADOPTIONS: ALLEGED ABUSE OF ADOPTED
CHILD SPARKS HEATED DEBATE

REF: LAMORA/LODINSKY EMAILS

¶11. SUMMARY. The first-ever reported allegation of sexual abuse of an adopted Kazakhstani child in the United States has ignited a firestorm of anti-adoption criticism in the Kazakhstani parliament and provoked widespread hand wringing among adoption providers and pro-adoption advocates. With confirmed information scarce on the alleged abuse, some parliamentarians have called for a moratorium of further adoptions and have brought to a head the previously stagnant draft amendments to the current Kazakhstani Family and Marriage code. In an effort to provide information to the Kazakhstani public, the Ambassador has led a coordinated effort to meet with media representatives and senior decision makers to discuss general adoption issues in the context of the allegation.

Report's Ripple Effects

¶12. News reports that an adopted Kazakhstani child had been abused in the United States ignited a firestorm of consternation in the Kazakhstani parliament last week, and led to the introduction of several bills calling for a banning of intercountry adoptions. Although legislation modifying current adoption regulations was ultimately rejected, the reported abuse served as a convenient platform for anti-adoption advocates. The ensuing debate also revealed that a reported 100,000 children are living without the care of their biological parents in Kazakhstan.

¶13. Embassy was initially alerted to the report by a key Ministry of Education contact that had heard of the allegation and requested the embassy investigate its veracity. On Friday, April 7, the weekly Kazakhstani press published headlines trumpeting the alleged abuse and "the scandal of Kazakhstani children in the United States." Subsequently, the consular section, in close cooperation with CA/CI, has maintained an ongoing dialogue with key MFA, MOE and local adoption coordinators to provide them with the most accurate and complete news on the allegation. Ministry contacts and local officials were initially stunned by the report and concerned about the inevitable backlash in the parliament and among the public. Their fears were quickly confirmed.

Parliament Debate Condemns Adoptions; Exposes Rifts

¶14. Days after the report first aired, the Kazakhstani Parliament, in a previously scheduled debate on adoption and family issues, seized on the abuse story to launch charges, countercharges, and anti-adoption hyperbole. Several deputies demanded a ban of intercountry adoptions. A later report that the accused child molester had been released on bail fueled even sharper vitriolic debate. Deputy Tito Syzdykov accused Kazakhstan of gross negligence in adoption processing and charged that the government is unable to track the status of adopted children abroad. "Why don't we care about our citizens?" Syzdykov charged, "We sell oil and gas, but we should stop selling our children." Deputies focused attention on the number of children adopted by single parents, same-gender parents, and homosexuals. Other deputies demanded that the Prime Minister and Procurator General investigate the allegation and report back to the parliament.

¶15. A director of an Astana-based orphanage charged that the bail paid by the alleged abuser "was outrageous; if he had been caught in Kazakhstan he would have been shot." The Deputy Akim (or mayor) of Almaty pointed to the failure of adoptive parents to submit post placement reports (PPRs) confirming the status of adopted children as "the key problem. We do not have information about adopted children. We are the child's country and we need to know about her life."

16. Although the debate on the Family and Marriage Code was heated and sustained, no modifications to existing law were passed, and current law was allowed to remain in force. Local media were remarkably balanced in their reporting of the debate. An Interfax report examined the variety of opinions between the upper and lower houses of Parliament and of experts from within the government itself, and concluded that although the case of the abused child was tragic, equally tragic was the status of thousands of abandoned children in Kazakhstan. Parliament rejected calls to make only sick and ill children available for adoption, the prohibition of adoption by single prospective parents, homosexuals, and adoption "to parents residing in bad weather countries and in difficult social and economic conditions."

17. The government agreed to establish an ombudsman position that would be charged with safeguarding the rights, health and treatment of Kazakhstani children both domestically and abroad. A working group consisting of representatives from UNICEF, the Ministry of Education and several NGOs has been formed to hammer out a draft proposal on the creation of an ombudsman office. According to press accounts, the ombudsman will be an independent entity with full investigatory authority.

Over 94,000 Orphans in Kazakhstan

18. The abuse allegation revealed the dark underside of the plight of orphaned children in Kazakhstan. According to the minutes of the parliament debate, there are over 94,000 orphans in Kazakhstan (population 15 million); of that number 16,843 live in orphanages and over 80 percent of the orphans are "ill children" with a growing number infected with sexually transmitted diseases. According to Bakhyt Syzdykova, Chairman of the Parliament's Adoption Committee, "Kazakhstanis adopt only healthy children--and if the children are found to be ill they are frequently returned to the orphanage or abandoned again." Of the 5,000 Kazakhstani children adopted over the past decade, ten percent were adopted by single prospective adoptive parents (PAPs)--providing ammunition to anti-gay adoption groups that Kazakhstani children are endangered by homosexuals.

Cost of Adoption: Between USD 100 and USD 25,000

19. Although the cost of adopting in Kazakhstan was not mentioned in the debate, Post received a diplomatic note several days later asking for an explanation behind figures the Embassy estimates as the cost of adoption. According to the diplomatic note, the "official" cost of adopting a child "can be no more than USD 100, while the Embassy states that the cost is between USD 18,000 and 25,000." Although the embassy has no first-hand statistics supporting the higher amount, we gleaned the adoption cost figures from questionnaires completed by PAPs prior to their departure from Kazakhstan.

10. According to the questionnaires (taken from 266 PAPs FY2006 year and 3,701 overall from FY2000 to present), 71 percent claimed the cost of adopting a child was between USD 15,000 and USD 30,000. The majority of families (36 percent) stay in country between 31 and 49 days. Approximately 12 percent of PAPs stayed in Kazakhstan for more than 50 days, with a few reporting stays of 75, 90, and 120 days, respectively, with most of those stays occurring in FY2005 and FY2006. Many PAPs make multiple trips to Kazakhstan with one family admitting to having returned three times. Fully 66 percent of PAPs adopted one child, while 14 percent adopted two children (the remaining percentage is "unknown"). Forty percent of adopted Kazakhstani children were male and sixty percent were female.

11. The huge disparity between the "official" and "real" cost of adoption is due to how one computes the actual cost to adopt a child thousands of miles from the United States. The GOK ignores travel and per diem costs, as well as the cost of food, clothing, transportation and facilitation services in Kazakhstan. In addition, there is substantial anecdotal information that PAPs provide orphanages and a range of Kazakhstani officials with financial "gifts" to compensate them for completing adoption processing expeditiously.

¶12. Post has embarked on a sustained and aggressive outreach program to inform the Kazakhstani public of the circumstances behind adoption by Americans and to dispel rumors of how the pending allegation of abuse would be handled in the U.S. The Ambassador, Public Affairs officers, and Consular officers have met with print, television, and media representatives as well as with MFA and MOE officers to provide the fullest detail behind the alleged abuse. Extended interviews have aired on all national television newscasts and have received prominent display in the print media as well.

Comment

¶13. The first-ever reported abuse of a Kazakhstani child by an adoptive American parent caused a strongly negative reaction here. Despite the rhetoric and hyperbole of parliamentary debates, there were signs that the allegation would spur deputies to make a serious review of current adoption laws and strengthen the largely unregulated plight of orphans in Kazakhstan, including the potential for a centralized PPR database. Fears of a complete adoption moratorium have subsided; however the prospect of an informal slowdown of adoption dossier processing is an ongoing threat, given that judges and prosecutors may feel that political attitudes toward international adoption are now changing. The embassy will continue its proactive and aggressive outreach efforts, in close cooperation with CA/CI, to answer questions and dispel rumors.

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